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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,328	03/12/2004	Barry W. Allen	NC072-US2/5487-145	6240
7590	10/03/2005			
Tyco Electronics Corporation Intellectual Property Law Department M/S R20/2B 307 Constitution Drive Menlo Park, CA 94026-1164			EXAMINER LEPISTO, RYAN A	
			ART UNIT 2883	PAPER NUMBER
DATE MAILED: 10/03/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/799,328

Applicant(s)

ALLEN ET AL.

Examiner

Ryan Lepisto

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2883

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24, 26, 28-43 and 46-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12, 14, 16, 23, 26, 28-38, 46 and 47 is/are allowed.
- 6) ☒ Claim(s) 1-6, 17, 18, 22, 24, 39-43, 48 and 49 is/are rejected.
- 7) ☒ Claim(s) 7-11, 13, 15 and 19-21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. **Claims 1-6, 17-18, 22, 24, 39-43 and 48-49** are rejected under 35 U.S.C. 102(e) as being anticipated by **Puetz et al (US 6,535,682 B1)** (Puetz). Puetz teaches an interconnect cabinet for optical fibers (Figs. 1, 5-6, 38, 57-58) comprising an enclosure (26, 926), a splice area (24, 924) with splitter trays (1200) mounted in the enclosure and configured to optically couple a plurality of optical fibers to a single optical fiber (1x2 splitter 1242, column 17 lines 57-60) and having a plurality of optical fiber pigtails (of any necessary length) extending from the splitter to an optical fiber feeder cable to external cable environment (column 15 lines 47-57, column 17 lines 59-63), a removable termination area (22, 922) with termination panels (32, 932) pivotally mounted in the enclosure to allow access to the front and back (Fig. 6) and having a plurality of optical fiber connection members (for example, Fig. 5, 134) associated with external cable equipment (from inside or out of the enclosure) (each connector for a different location for coupling or decoupling) and wherein the back of the termination

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panel are for more permanent connections and/or from the splitters and the front side for various equipment and/or the splitters (column 7 lines 42-67) and fibers couple from the termination panel (32, 932) to the splice area (24, 924) (column 5 lines 11-30) and a spooling system (34, 934) with a plurality of spools (40a) mounted in the enclosure for receiving and storing excess cable length (column 5 lines 39-40) and extending from the top of the termination section to the bottom (Fig. 1).

***Allowable Subject Matter***

2. **Claims 12, 14, 16, 23, 26, 28-38 and 46-47** are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

With regard to claims 12, 14, 16, 23, 28 and 46: These claims are allowable over the prior art of record because the latter, either alone or in combination, does not disclose nor render obvious a termination panel with a splice chamber mounted adjacent the back side of the termination panel wherein both the termination panel and splice chamber are independently able to pivot, a cable securing member that is movable, able to pivot about a neutral axis having an arc length for a cable secured therein and detachable, a double-wall enclosure for passive cooling or the distance between first and last spools being about half the distance between first and last rows of connection members on the termination panels, in combination with the rest of the claimed limitations.

With regard to claims 26, 29-38 and 47: These claims are allowable over the prior art of record because they depend from allowable claims.

3. **Claims 7-11, 13, 15 and 19-21** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

With regard to claims 7 and 19: These claims would be allowable over the prior art of record if rewritten in independent form including all of the limitations of the base claim and any intervening claims because the latter, either alone or in combination, does not disclose nor render obvious a termination module further comprising a splice chamber configured to mount a plurality of splice modules adjacent to a back side of the termination panel or a distance between a first and last spool is about half the distance between first and last rows of connection members of the termination panel, in combination with the rest of the claimed limitations.

With regard to claims 8-11, 13, 15 and 20-21: These claims would be allowable over the prior art of record if rewritten in independent form including all of the limitations of the base claim and any intervening claims because they depend from claims with allowable subject matter.

***Response to Arguments***

4. Applicant's arguments with respect to claims 1 and 39 have been considered but are moot in view of the new ground(s) of rejection necessitated by applicant's amendment.

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

**Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan Lepisto whose telephone number is (571) 272-1946. The examiner can normally be reached on M-F 7:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font can be reached on (571) 272-2415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

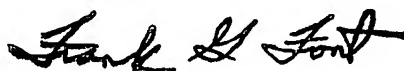
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ryan Lepisto

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Date: 9/27/05



Frank Font

Supervisory Patent Examiner

Technology Center 2800